

MINUTE ITEM

32. (CONSIDERATION OF SUBSIDENCE COST PROJECT, LONG BEACH - L.B.W.O. 10,063.)

After presentation of Calendar Item 22 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION APPROVES SUCH COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, UNDER PROJECT AS INDICATED ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, FOR THE PERIOD OCTOBER 14, 1958 TO JUNE 30, 1959; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL AS SUBMITTED TO THE COMMISSION; AND THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE MINERAL RESOURCES ENGINEER IS AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 22 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

22.

(CONSIDERATION OF SUBSIDENCE COST PROJECT, LONG BEACH - L.B. W.O. 10,063.)

As reported to the Commission July 24, 1956 (Minute Item 1, pages 2750-51), Opinion No. 56/145 of June 29, 1956 by the Attorney General indicates that prior approval of the State Lands Commission is required for costs to be expended by the City of Long Beach to remedy and protect against the effects of subsidence of the land surface within the boundaries of the Long Beach Harbor District and within the boundaries of the Long Beach Tidelands situated outside of said Harbor District. The office of the Attorney General has also advised that the Commission may make a conditional prior approval of projects involving subsidence cost expenditures, subject to final approval of allowances after work has been completed and an engineering review and audit have been made; thus qualifying the ultimate audited expenditures for credit in accordance with Chapter 29 of the Statutes of 1956, 1st E.S.

The Commission has heretofore approved the costs to be expended by the Harbor Department of the City of Long Beach, including subsidence remedial work, for the 1958-59 Fiscal Year under eleven projects on June 11, 1958 (Minute Item 21, pages 4107-17).

In order to obtain prior approval of subsidence costs for continuing work and new work on the "Pier D" area-project within the Harbor District for the coming 1958-59 Fiscal Year, the City of Long Beach, through the Port of Long Beach, has presented for consideration and conditional approval an additional project to remedy and protect against the effects of subsidence of the land surface within the Long Beach Harbor District during the 1958-59 Fiscal Year. The project has received initial staff review, and is considered to include some "subsidence costs" as defined in Section 1(f) of Chapter 29, Statutes of 1956, 1st E.S., but not necessarily all of those costs as estimated by the Port of Long Beach.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE SUCH COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, UNDER PROJECT AS INDICATED ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, FOR THE PERIOD OCTOBER 14, 1958 TO JUNE 30, 1959; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL AS SUBMITTED TO THE COMMISSION; AND THAT THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment
Exhibit "A"

EXHIBIT "A"

LONG BEACH WORK ORDER NO. 10,063 - Project and Estimate Submitted by the
Port of Long Beach, PIER D.

<u>ITEM</u>	<u>AFE</u>	<u>WORK PROPOSED</u>	<u>LBHD ESTIMATED TOTAL PROJECT EXPENDITURES OCTOBER 14, 1958 TO JUNE 30, 1959</u>	<u>LBHD ESTIMATED SUBSIDENCE COSTS</u>
1	272	Berths 28-31, Wharf Remedial	\$ 112.69	\$ 112.69 (100%)